

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Hearing Date:
September 28, 2017 at 10:00am

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In re :
:
CLUB VENTURES INVESTMENTS LLC, :
d/b/a DAVID BARTON GYM, *et al* :
:
Debtor. :
:
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Objection Deadline:
September 21, 2017 at 4:00pm

Chapter 7
Case No. 17-10060 (SHL)
Jointly Administered

**NOTICE OF MOTION FOR APPROVAL OF AGREEMENT BETWEEN
TRUSTEE AND JPMORGAN CHASE BANK TO SET OFF AGAINST
PREPETITION COLLATERAL RELATED TO ARCHIVE LEASE**

PLEASE TAKE NOTICE that a hearing (the “**Hearing**”) will be held before the Honorable Sean H. Lane, United States Bankruptcy Judge, on September 28, 2017 at 10:00 a.m., or as soon thereafter as counsel may be heard, in the United States Bankruptcy Court for the Southern District of New York (the “**Bankruptcy Court**”), One Bowling Green, Courtroom 701, New York, New York 10004, to consider the annexed motion (the “**Motion**”) of JPMorgan Chase Bank, N.A. (“**Chase**”), pursuant to Sections 105 and 362(d)(1) and (2) of Title 11 of the United States Code and Rules 9019 and 4001(a)(3) of the Federal Rules of Bankruptcy Procedure, for approval of the stipulation and proposed order (the “**Stipulation**”) by and between Yann Geron (the “**Trustee**”), chapter 7 trustee of Club Ventures Investments LLC d/b/a DavidBartonGym and the above-captioned jointly administered debtors (collectively, the “**Debtors**”)¹ and Chase (Chase and the Trustee, the “**Parties**”), which Stipulation resolves all pending disputes between the Parties by modifying the automatic stay to permit and authorize

¹ The Debtors refer to DB 85 Gym Corp. (Case No. 16-13580), Club Ventures III, L.L.C. (Case No. 16-13581), Club Ventures X, LLC (Case No. 16-13582), Club Ventures Archive LLC (Case No. 16-13616), Club Ventures Limelight LLC (Case No. 16-13617), Club Ventures Miami LLC (Case No. 16-13618), and Club Ventures Investments LLC (Case No. 17-10060), all of which did business as DavidBartonGyms prior to their respective filings.

Chase to apply and set off certain funds on account at Chase and pledged to Chase as collateral for obligations of one of the Debtors in full settlement and satisfaction of all claims by Chase against Club Ventures Archive, LLC under the LC Documents (as defined in the Motion).

PLEASE TAKE FURTHER NOTICE that any responses or objections to the Motion must (a) be made in writing; (b) state with particularity the grounds therefor; (c) conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court; (d) be filed with the Bankruptcy Court (i) electronically in accordance with General Order M-399 by registered users of the Bankruptcy Court's case filing system, or (ii) by submission to the Clerk of the Bankruptcy Court in accordance with Local Bankruptcy Rules 5005-1 and 9004-1 by all other parties; (e) be submitted in hard-copy form directly to the chambers of the Honorable Sean H. Lane, United States Bankruptcy Judge, at the Bankruptcy Court in accordance with Local Bankruptcy Rule 9070-1; and (f) be served upon (i) counsel to Chase, Teitelbaum Law Group, LLC, 1 Barker Avenue, 3rd Floor, White Plains, New York 10601, Attn: Jay Teitelbaum, Esq., and (ii) special counsel to the Trustee, Reitler Kailas & Rosenblatt LLC, 885 Third Avenue, 20th Floor, New York, New York 10022, Attn: Yann Geron; and (iii) the Office of the United States Trustee for the Southern District of New York, 201 Varick Street, Suite 1006, New York, New York 10014, all so as to be received no later than 4:00 p.m. on September 21, 2017.

PLEASE TAKE FURTHER NOTICE that the Hearing may be continued or adjourned from time to time without further notice other than an announcement of the adjourned date or dates at the Hearing or a later hearing.

PLEASE TAKE FURTHER NOTICE that you need not appear at the Hearing if you do not object to the relief requested in the Motion.

Dated: White Plains, New York
August 28, 2017

TEITELBAUM LAW GROUP, LLC
Attorneys for JPMorgan Chase Bank, N.A.

By: /s/ Jay Teitelbaum

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